(c) As per information available with the CEA, no hydroelectric project with installed capacity of 25 MW and above has been closed.

(d) Question does not arise.

**Diversion of surplus power**

485. SHRI VIJAY J. DARDA: Will the Minister of POWER be pleased to state:

(a) whether it is a fact that Electricity Act provides that Captive Power Projects should use half of the power generated and the rest can be sold by bringing it into the grid for open access and distribution;

(b) if so, whether any instances have come to the notice of Government where captive power plants have diverted the surplus power for a higher cost to other unitended users; and

(c) whether any comprehensive guidelines been issued for captive power plants to connect their surplus power to the national grid?

THE MINISTER OF POWER (SHRI SUSHILKUMAR SHINDE): (a) The Electricity Rules, 2005 notified by Central Government under the provisions of Electricity Act, 2003 require, *inter-alia*, that not less than fifty one per cent of the aggregate electricity generated in a captive power plant, determined on an annual basis, is consumed for the captive use.

(b) No, Sir.

Section 49 of the Act provides that where the Appropriate Regulatory Commission has allowed open access to certain consumers under section 42, such consumers may enter into an agreement with any person for supply or purchase of electricity on such terms and conditions (including tariff) as may be agreed upon by them. However, supply of surplus power to a distribution licensee is to be regulated by the appropriate Commission.

(c) The National Electricity Policy emphasizes that grid inter-connections for captive generators be facilitated as per section 30 of the Act on priority basis to enable captive generation to become available as distributed generation along the grid.